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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/603,960	06/25/2003	Joe P. Crookham	P04049US2	3716
22885 7590 09/10/2009 MCKEE, VOORHEES & SEASE, P.L.C. 801 GRAND AVENUE SUITE 3200 DES MOINES, IA 50309-2721				
EXAMINER				
DOAN, KIET M				
ART UNIT		PAPER NUMBER		
2617				
NOTIFICATION DATE		DELIVERY MODE		
09/10/2009		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patatty@ipmvs.com

Office Action Summary

Application No.

10/603,960

Applicant(s)

CROOKHAM ET AL.

Examiner

KIET DOAN

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 June 0209.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 2, 4, 5, 8, 10, 13-25, 45, 46 and 48-54 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 4, 5, 8, 10, 13-25, 45, 46 and 48-54 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on _____ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This office action is response to applicant's Remarks file on 06/11/2009.

➤ No claims are amended.

Response to Arguments

2. Applicant's arguments filed 06/11/2009 have been fully considered but they are not persuasive.

In response to applicant's argument that the combinations of prior art does not teach or meet the claims inventive concepts.

The examiner respect fully disagrees for several reasons. Firstly, the examiner must give each broadest reasonable interpretation.

a) Regarding applicant's argument claim 1 and 45. Alt clearly teaches the control system for remotely controlling the electric power to a sign board lighting 10 (out door billboard and the like) in very diverse location. Fig.2, clearly described the system control center contain control computer 21 that transmitting message (command/programming) signals over satellite to sign board lighting 10 wherein the message (command/programming) signals indicate of an on/off operation condition for the sign board lighting 10, to clarify, see Col.3, lines 14-20, Col. 7, lines 60-67, Col.8, lines 1-3. That is, it clearly indicated remotely/wireless controlling which read on "off-site control".

b) Regarding applicant's argument in claims 2, 16, 46 and 54. Alt teaches control computer 21 that transmitting message (command/programming) signals wherein the

message contain the scheduling event to the sign board lighting 10 (out door billboard, advertising or the like) see, Col.10, lines 5-30.

c) Regarding applicant's argument in claims 8, 19, 48 and 53. Since Alt teaches remotely/wireless controlling lighting from thousand miles away, within skill in the art, it is controlling wide area lighting. Alt, also mention controlling parking lot lights (Col.7, lines 48) can be security lighting. However, Gordin put forth to cure the sporting lighting limitation Col.2, lines 18-25,

d) Regarding applicant's argument in claims 10, 25 and 49. Alt clearly teaches the control computer 21 that transmitting message (command/programming) signals from a remote location thousand miles away over satellite wherein the satellite re-directed the signals to a regional transceiver (sign board lighting 10), further the sign board lighting 10 can be located in a various location such as airport, parking lot, sports location or road signs. That is, such different location that the sign board 10 can be located is considered in a wide-area which read on communication link comprises a wide-area network. See, Col.1, lines 18-23, 45, Col.7, lines 15-16, Col.3, lines 12-20.

e) Regarding applicant's argument in claim 15. Alts clearly teach the controlling is from system controller center wherein contain lighting control computer 21 that transmitted message (command/programming) signals to sign board lighting 10 (out door billboard and the like) indicated turning/operated on/off. Col.10, lines 5-20.

f) Regarding applicant's argument in claims 21, 22, 23 and 24. Alt teaches control computer 21 that transmitting message (command/programming) signals wherein the message contain programming) signals that scheduling event such as

change time of on/off to the sign board lighting 10 which the programming signals is read on database. See Col.7, lines 60-67, Col.11, lines 10-30.

g) Regarding applicant's argument in claim 51. Alt rejection is broadly interpreted base on claim language "data related to instruction regarding operation of an electrical load" wherein the control unit of the sign board lighting 10 that operated in the form of 30 amps as read on regarding operation of an electrical load" Col.6, line 30-41.

3. The examiner also reminds the applicant that the **recent landmark KSR** ruling puts forth that simple substitution of one known element or application for another to a piece of prior art ready for improvement is not patentable under 35 USC 103(a).

Accordingly, the claims are viewed as a combination that only unites elements with no change in respective functions of those elements and said combination yields predictable results.

Absent evidence that the modifications necessary to effect the combination of elements is uniquely challenging or difficult for one of ordinary skill the claims are also deemed unpatentable.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2, 4, 5, 10, 13-17, 19-25, 45, 46, 49-52, 54 are rejected under 35

U.S.C. 103(a) as being unpatentable over Alt et al. (US 5,898,384) in view of Gordin et al. (US 4,712,167).

Consider **claims 1 and (45 a system for remote control)**. Alt teaches an apparatus for centrally controlling a wide-area lighting at a plurality of remote, widely-dispersed different sites to be illuminated comprising:

a) a plurality of wide area lighting systems each on-site at a different site, each on-site wide area lighting system comprising (Abstract, Col. 5, Lines 32-45 teach controlling system for remotely controlling plurality of electrical device, Col. 7, Lines 45-60 further teach the plurality of different site such as sign boards lighting, parking lot lighting located thousands mile apart which teach in Col. 3, Lines 13-20).

b) a central control system comprising:

i. an off-site central controller including a database of events (Col.11, Lines 20-50, Col. 13, Lines 25-60, Fig.2, Illustrate control computer 21 which read on off-site central controller wherein located off-site that transmitting the program/database of event such as time turn on and off to control the lighting of sign board 10) or conditions related to arrays of each wide-area lighting system and a component adapted to issue data related to a function of the corresponding wide-area lighting system and an event

or condition for the wide-area lighting system or an array of the lighting system; the database of events or conditions for each wide-area lighting system being changeable at the off-site central controller;

ii. an on-site remote device controller for each wide-area lighting system, the remote controller operably connected to each set of light sources and ballast circuits of arrays of the wide-area system (Col.10, Lines 5-60, Fig.1, Illustrate control unit 16 which read on "on-site remote device controller" wherein connected to each light source, further described in Fig.2) ;

iii. a communication link to communicate the data from the central controller to any remote controller of a corresponding wide-area lighting system according to the database of events or conditions at the off-site central controller so that the database of the central controller, can control one or more functions of arrays of remote, widely dispersed lighting system (Col.11, Lines 20-64, Col.12, lines 17-30, Fig.1 and Fig.2 show the lighting control computer as read on central controller that communication from transceiver 20 to remote control unit 16 wherein corresponding to lighting system).

Alt fails to explicitly teach

- i. a plurality of arrays of lighting fixtures;
- ii. each array comprising a set of high intensity light sources and ballast circuits adapted to be switched to connect or disconnect to a relatively high voltage power source.

In an analogous art, **Gordin teaches** "Remote control, moveable lighting system".

Further, Gordin teaches

i. a plurality of arrays of lighting fixtures (Col. 8, Lines 47-50, Fig.1 and Fig.9

Illustrate lighting array frame wherein contain plurality of luminaries unit light) ;

ii. each array comprising a set of high intensity light sources and ballast circuits adapted to be switched to connect or disconnect to a relatively high voltage power source (Col. 4, Lines 40-57 teach the power source on board generator 16 with provide electric power to luminaries unit light through ballast 20 wherein contain power switching circuit 40 for turning or switching on and off which read on switched to connect or disconnect to a relatively high voltage power).

Therefore, it would have been obvious at the time that the invention was made to modify Alt with Gordin's system, such that controlling wide area lighting at plurality different site to be illuminate by using central control system from off site to provide means for the convenient and saving cost by controlling lighting in different location without sending out technician to adjust or setup timing, scheduling.

Consider **claims 2, 16, 46, 54**.The combination of Alt and Gordin teach the apparatus of claim 1. Further, Alt teaches wherein the database comprises a schedule of events (Col.10, Lines 5-30 control unit received programming as read on schedule of events).

Consider **claim 4**. The combination of Alt and Gordin teach the apparatus of claim 1. Further, Alt teaches wherein the network device is computers or network of computers (Fig.2, Illustrate No.21 and described).

Consider **claim 5**. The combination of Alt and Gordin teach the apparatus of claim 1. Further, Alt teaches wherein the remote device comprises a digital controller (Col.13, Lines 46-65).

Consider **claims 8, 19, 48, 53**. The combination of Alt and Gordin teach the apparatus of claim 1. Further, Gordin teaches wherein the wide-area lighting device comprises sports lighting or security lighting (Col. 2, Lines 18-25, Fig.1 teach and illustrate mobile variable lighting device 10 which obviously can be use for sports light or security light).

Consider **claims 10, 25, 49**. The combination of Alt and Gordin teach the apparatus of claim 1. Further, Alt teaches wherein the communications link comprises a wide area network (Col. 3, Lines 13-20).

Consider **claims 13, 17, 18, 20, 50**. The combination of Alt and Gordin teach the apparatus of claim 1. Further, Alt teaches wherein the remote device includes a cellular receiver (Col. 12, Lines 38-47, Fig.2, No.20 and No.22 Illustrate and described).

Consider **claim 14**. The combination of Alt and Gordin teach the apparatus of claim 1. Further, Alt teaches wherein said data comprises instructions (Col. 10, Lines 5-8 teach programming as read on instructions).

Consider **claim 15**. The combination of Alt and Gordin teach the apparatus of claim 1. Further, Alt teaches wherein said instructions include one or more of the set comprising turn on, turn off (Col.10, Lines 5-20).

Consider **claims 21, 22, 23 and 24**. The combination of Alt and Gordin teach the apparatus of claim 1. Further, Alt teaches comprising a component to revise said database (Col. 10, Lines 5-8, Col. 11, Lines 10-25).

Consider **claim 51**. The combination of Alt and Gordin teach the system of claim 45. Further, Alt teaches wherein said data relates to instructions regarding the operation of an electrical load (Col. 6, Lines 30-41).

Consider **claim 52**. The combination of Alt and Gordin teach the system of claim 45. Further, Alt teaches wherein-the customer device is related to one or more of the set comprising cellular phone, internet connected computer, fax machine, and telephone (Col.12, Lines 38-47, Fig.2, No. 22).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KIET DOAN whose telephone number is (571)272-7863. The examiner can normally be reached on 8am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Appiah can be reached on 571-272-7904. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Kiet Doan/
Examiner, Art Unit 2617

/NICK CORSARO/

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Supervisory Patent Examiner, Art Unit 2617